THE ATTORNEYS GENERAL OF

CALIFORNIA
CONNECTICUT
DELAWARE
DISTRICT OF COLUMBIA
HAWAII
ILLINOIS

IOWA
MAINE
MARYLAND
MASSACHUSETTS
MINNESOTA
MISSOURI
NEW MEXICO
NEW YORK
NORTH CAROLINA
OREGON
PUERTO RICO
RHODE ISLAND
VERMONT
VIRGINIA
WASHINGTON

March 10, 2016

The Honorable Mitch McConnell Majority Leader United States Senate Washington, D.C. 20510

The Honorable Charles Grassley Chairman Committee on the Judiciary United States Senate Washington, D.C. 20510 The Honorable Harry Reid Minority Leader United States Senate Washington, D.C. 20510

The Honorable Patrick Leahy Ranking Member Committee on the Judiciary United States Senate Washington, D.C. 20510

Dear Leader McConnell, Leader Reid, Chairman Grassley and Ranking Member Leahy:

We, the undersigned, are Attorneys General representing 19 states, the District of Columbia and the Commonwealth of Puerto Rico. We are united in the belief that the United States Senate must act promptly to consider a nominee to fill the vacancy on the United States Supreme Court. We believe that a failure to do so would undermine the rule of law and ultimately impair the functioning of state governments within our federal system.

The Constitution clearly sets out the process for filling a Supreme Court vacancy. The President has a duty to make a nomination. President Obama, duly elected twice by the American people, has pledged to do so. The Senate, then, has the responsibility to consider and approve or disapprove the nomination. While simple, this is the law and it should be followed.

Throughout our history, the Senate —without exception— has acted promptly to consider qualified nominees to the Supreme Court. The longest the Senate has ever taken to confirm a President's Supreme Court nominee is 125 days and since 1975, a nominee has, on average, received a vote by the full Senate within 67 days of his or her nomination. Moreover, every nominee since 1875 has received a confirmation hearing. And since 1900, six justices have been confirmed during election years, including Justice Anthony Kennedy, who was confirmed in the final year of the Reagan Administration.

The states and territories have a unique and pressing interest in a full and functioning Supreme Court. We rely on the Supreme Court to resolve questions of federal law, to resolve disputes

between the states, to evaluate the constitutionality of state laws, and to ensure that federal and constitutional law are interpreted and applied uniformly across all states and territories. The Supreme Court not only resolves disputes that implicate States' vital interests, it often does so in closely divided cases.

We urge the Senate to carry out its responsibilities by allowing for full consideration of a qualified nominee to the Supreme Court by holding a hearing and a vote without unnecessary delay.

Sincerely,

Kamala Harris

California Attorney General

Matt Denn

Delaware Attorney General

Douglas Chin

Hawaii Attorney General

Tom Miller

Iowa Attorney General

Brian Frosh

Maryland Attorney General

Bue 5 Froste

Lori Swanson

Minnesota Attorney General

George Jepsen

Connecticut Attorney General

Karl A. Racine

District of Columbia Attorney General

US Madigar Lisa Madigan

Illinois Attorney General

Tanet Mills

Maine Attorney General

Maura Healey

Massachusetts Attorney General

Chris Koster

Missouri Attorney General

Het BC

Hector Balderas

New Mexico Attorney General

Roy Cooper

North Carolina Attorney General

César Miranda

Puerto Rico Secretary of Justice

William H. Sorrell

Vermont Attorney General

Robert W. Ferguson

Washington Attorney General

Eric Schneiderman

New York Attorney General

Fllen F. Rosenblum

Ellen F. Rosenblum Oregon Attorney General

Peter F. Kilmartin

Rhode Island Attorney General

Mark R. Henry

Mark Herring

Virginia Attorney General